

IOWA PUBLIC INFORMATION BOARD[497]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 23.6, the Iowa Public Information Board hereby gives Notice of Intended Action to amend Chapter 1, “Organization and General Administration,” Iowa Administrative Code.

These amendments are necessary to ensure that the Board’s administrative rule on conflicts of interest applies to all staff members and that the administrative rule reflects the requirements in the State Code of Ethics in Iowa Code chapter 68B.

Any interested person may make written suggestions or comments on the proposed amendments on or before June 16, 2015, by contacting Charlie Smithson, Executive Director, Iowa Public Information Board, Third Floor, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319. Comments may be submitted by e-mail to Charlie.Smithson@iowa.gov.

The proposed amendments do not provide for a waiver as no obligation is being imposed on the public. After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 23.6 and 68B.2A.

The following amendments are proposed.

ITEM 1. Amend rule 497—1.4(84GA,ch1115) as follows:

497—1.4(84GA, ~~ch1115~~ 23) Conflict of interest.

1.4(1) Definition. “Conflict of interest” means that a board member, ~~the executive director~~ an employee of the board, ~~or a board member’s immediate family, or an immediate family member of an employee of the board~~ has a significant personal, financial, or employment relationship with: a person who has requested an advisory opinion; a person who has petitioned for a declaratory order; a complainant; or a government employee or official or a governmental body that would be directly impacted by an advisory opinion, a declaratory order, or a complaint. For purposes of this rule, “immediate family” means ~~a member’s spouse, child, grandchild, or parent~~ the same as “immediate family members” in Iowa Code section 68B.2(11).

1.4(2) Procedures. As soon as a member of the board or ~~the executive director~~ an employee of the board becomes aware of a conflict of interest, the member or ~~executive director~~ employee of the board shall follow these procedures:

a. If the conflict is known before a meeting, the member or ~~executive director~~ employee of the board shall fully disclose the interest to the chairperson of the board in writing at least 24 hours before the meeting.

b. If the conflict is discovered during a meeting, the member or ~~executive director~~ employee of the board shall orally inform the board, and the nature of the conflict shall be reported in writing to the chairperson of the board within 24 hours after the meeting.

c. The board member or ~~executive director~~ employee of the board who has the conflict shall not participate in discussion or vote on any advisory opinion, declaratory order, or complaint.

1.4(3) State code of ethics. Board members and employees of the board shall comply with the state code of ethics found in Iowa Code chapter 68B and in the corresponding administrative rules adopted by the Iowa ethics and campaign disclosure board.

ITEM 2. Amend ~~497~~—**Chapter 1**, implementation sentence, as follows:
~~These rules are~~ This rule is intended to implement ~~2012 Iowa Acts, chapter 1115, section 6~~ Iowa
Code sections 23.6 and 68B.2A.